

Attorney's Docket No. 2475-010560**AMENDMENT TRANSMITTAL LETTER**Commissioner for Patents  
Washington, D.C. 20231Serial No.: 10 010,496Examiner: Kent L. BellInvention: Begonia Plant Named 'Fuga'Filing Date: November 13, 2001Group Art Unit: 1661

Transmitted herewith is an Amendment in the above-identified application.

Small Entity Status is has been asserted for this application under 37 CFR 1.27.

- ☐ A verified statement to establish small entity status under 37 CFR 1.27 is enclosed.
- ☒ No additional claim fee is required.
- ☒ The fee has been calculated as shown below:

No of Claims After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity Rate	Non-Small Entity Rate	Charge
Total <u>1</u>	<u>20</u>	<u>0</u>	x \$ 9.00	x \$ 18.00	\$ <u>0.00</u>
Indep. <u>1</u>	<u>3</u>	<u>0</u>	x \$ 42.00	x \$ 84.00	\$ <u>0.00</u>
First Presentation of Multiple Dependent Claim s			+ \$140.00	+ \$280.00	\$ <u>0.00</u>
TOTAL ADDITIONAL FEE					\$ <u>0.00</u>

- ☒ A check in the amount of \$\_\_\_\_\_ is enclosed to cover the filing fee.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

February 19, 2003  
Date

By

Russell D. Orkin  
Registration No. 25,363  
Attorney for Applicant  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Telephone: (412) 471-8815  
Facsimile: (412) 471-4094  
E-mail: webblaw@webblaw.com

RECEIVED

FEB 17 2003

1000

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on February 19, 2003

Pamela A. Assad  
(Typed name of person mailing paper)

Signature

02 19 03  
Date



Plant Patent Application 3/4/03  
Serial No. 10 010,496  
Confirmation No. 6455  
Attorney Docket No.: 2475-010560

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1661 :  
In re Application of :  
ANDRE SMAAL : BEGONIA PLANT NAMED  
Serial No. 10 010,496 : 'FUGA'  
Filed November 13, 2001 :  
Examiner - Kent L. Bell : Pittsburgh, Pennsylvania  
February 19, 2003

RESPONSE

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated November 19, 2002, Applicant submits the following amendments and remarks.

IN THE SPECIFICATION:

At page 3, line 8, please insert --apex -- after "obovate".

REMARKS

Claim 1 stands rejected under 35 U.S.C. § 102(b) for anticipation by The Netherlands Plant Breeder's Rights Application No. BGN0281 (published January 16, 2000) in view of a sale of a plant named 'Fuga' in the Netherlands on November 1, 2000. Applicant traverses these rejections for the following reasons.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on February 19, 2003.

Pamela A. Assad  
(Name of Person Mailing Document)

Signature

02/19/03  
Date

W0044458.1